

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

CHARLES I. EVANS,)	CASE NO. 1:20-CV-00350-CAB
)	
Plaintiff,)	JUDGE CHRISTOPHER A. BOYKO
)	
v.)	<u>DEFENDANT SYNENBERG &</u>
)	<u>ASSOCIATES, LLC'S PRE-TRIAL</u>
SYNENBERG & ASSOCIATES, LLC,)	<u>NOTICE & BRIEF</u>
)	
Defendant.)	

Now comes Defendant Synenberg & Associates, LLC, by and through undersigned counsel, and respectfully submits this *Pre-Trial Notice & Brief* in the above-captioned case.

A *Brief* detailing undersigned counsel's *Notice* is attached hereto and incorporated by reference herein.

Respectfully submitted,

/s/Roger M. Synenberg
ROGER M. SYNENBERG (0032517)
Synenberg & Associates, LLC
55 Public Square, Suite 1331
Cleveland, Ohio 44113
(216) 622-2727
(216) 622-2707 FAX
rsynenberg@aol.com

NOTICE & BRIEF

On February 17, 2020, Plaintiff Charles I. Evans (Griffin) filed his Complaint with jury demand against Synenberg & Associates, LLC. The Factual Allegations of Plaintiff's Complaint can be summarized as follows:

1. Plaintiff obtained a loan in the amount of \$12,005.40 for the Spring 2011 semester at the University of Akron.
2. Funds totaling \$7,946.00 were applied to the Plaintiff's account with the University of Akron.
3. Plaintiff received the remaining \$4,059.40.
4. Plaintiff withdrew from the University.
5. As a result of his withdrawal and lack of repayment, Plaintiff accrued debt relating to his educational loan with the State of Ohio.
6. Defendant Synenberg & Associates, a debt collector, attempted to collect the outstanding debt, with interest.

Defendant Synenberg & Associates is a debt collector for the State of Ohio, specifically the Ohio Attorney General's Office. Defendant attempted to collect the debt accrued by Plaintiff as a result of his withdrawal from the University of Akron. Plaintiff refused to pay his account balance with interest and subsequently sued Defendant for statutory damages, actual damages, and attorney's fees and costs in connection with his debt.

On May 8, 2020, Defendant Synenberg & Associates, LLC filed their Answer [ECF No. 9] to Plaintiff's Complaint.

The last communication Defendant Synenberg & Associates had with Plaintiff's counsel (prior to Plaintiff's most recent email on February 12, 2021 email regarding damages) was on May 14, 2020 pertaining to the exchange of discovery which was deemed complete at that time.

On January 15, 2021, this Honorable Court set a telephonic Case Management Conference for February 19, 2021 at 10:30 AM [ECF No. 12]. No substantive action or filings have occurred in this case since May 8, 2020.

Defendant Synenberg & Associates, LLC now submits this *Notice & Brief* indicating the lack of activity, the recent demand for damages, as well as the settlement of the underlying dispute pertaining to the above-captioned case.

On February 25, 2020, the underlying action to this case was filed in the Akron Municipal Court.¹ The University of Akron, through Synenberg & Associates, LLC, sought \$6,853.08 in reference to Plaintiff's outstanding debt to the State of Ohio. On December 29, 2020, Plaintiff submitted payment to Defendant Synenberg & Associates in satisfaction of the debt surrounding the underlying lawsuit in Akron Municipal Court. As a result of Plaintiff's payment, the underlying dispute was Dismissed with Prejudice by Defendant Synenberg & Associates, LLC on January 20, 2021.

Plaintiff or Plaintiff's counsel had not contacted Defendant Synenberg & Associates regarding this case since May 14, 2020 until their email regarding damages which was received by Defendant on February 12, 2021.

WHEREFORE, Synenberg & Associates, LLC, by and through undersigned counsel, submits this *Notice & Brief* to this Honorable Court providing the background to this case in an effort to make the upcoming telephonic Case Management Conference as productive as possible.

Respectfully submitted,

/s/Roger M. Synenberg
ROGER M. SYNENBERG (0032517)
Synenberg & Associates, LLC
55 Public Square, Suite 1331

¹ *University of Akron vs. Charles Griffin*, Akron Municipal Court, 20-CV-01550

Cleveland, Ohio 44113
(216) 622-2727
(216) 622-2707 FAX
rsynenberg@aol.com

CERTIFICATE OF SERVICE

I hereby certify that on February 15, 2021 a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular US mail. Parties may access this filing through the Court's system.

s/Roger M. Synenberg
ROGER M. SYNENBERG